

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

DANIEL B. O'KEEFE, CELESTE A. FOSTER  
O'KEEFE, and THE DANCEL GROUP, INC.,

Plaintiffs,

v.

STATE FARM FIRE AND CASUALTY  
COMPANY and MARSHALL J. ELEUTERIUS,

Defendants.

CIVIL ACTION NO.: 1:08cv600-HSO-LRA

**ORDER**

This cause came before the Court for telephonic hearing on September 14, 2009, on the pending Motions to Quash [196][197][198] filed by Plaintiffs on August 21, 2009. After hearing argument from counsel for both sides agreement has been reached with regard to certain of the subpoenas subject to the foregoing Motions to Quash, said agreement being set forth below:

1. Island Center for Women Subpoena [165-3]: the parties have agreed and the Court orders that Plaintiffs' counsel is to review the documents and make a decision as to relevancy/discoverability. He must produce the relevant documents with a privilege log specifically identifying any documents for which there are objections to production to Defendants by September 25, 2009. To the extent there are any documents which Defendants believe they are entitled to review and to which Plaintiffs object, and in the event no agreement can be reached concerning additional production, Defendants shall file their motion to compel production and upon receipt of same, Plaintiffs shall provide such documents and their privilege log, to the Court for an *in camera* inspection. The documents previously received by defense counsel from this source are sealed and

the documents scanned are password protected. Accordingly, Plaintiffs Motion to Quash [196] as to [165-3] is granted in part and denied in part.

2. Tony Chance and Fountain Group Subpoena [165-8, 9]: Defendants shall limit the time for production from January 1, 2002 to the present for both Daniel and Celeste O'Keefe and The Dancel Group, Inc.; and that shall limit the production in scope to the extent the subpoena addresses Daniel and Celeste O'Keefe, to any and all documents reflecting any and all income received by Daniel and Celeste O'Keefe as associated with the property located at 10265 Rodriguez Street. The Court will issue a separate ruling on the portions of the subject subpoena seeking information relating to Forms 4684 and 4797. Accordingly, Plaintiffs' motion [196] as to [165-8,9] is granted in part and denied in part, with additional rulings to come from the Court.

3. McQuire Design and Fritz Construction: Defendants will reissue a subpoena that limits documents sought to those created during the time frame that covers January 1, 1999 to present, and that restricts the scope to the properties involved in this litigation. Thus, Motions to Quash [196] as to [165-2] and [198] are granted in part and denied in part.

**SO ORDERED AND ADJUDGED**, this the 25th day of September, 2009.

S/ Linda R. Anderson  
**UNITED STATES MAGISTRATE JUDGE**

**APPROVED AS TO SUBSTANCE AND FORM:**

/s/ Christopher C. Van Cleave  
Christopher C. Van Cleave, Esq.  
CORBAN, GUNN & VAN CLEAVE, PLLC.  
Attorney for Plaintiffs

/s/ Dan W. Webb  
Dan W. Webb #7051

**WEBB, SANDERS & WILLIAMS, P.L.L.C.**

**Attorney for Defendants**

*Order prepared by Dan W. Webb of Webb Sanders & Williams PLLC*